

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
SEPTEMBER 16, 2015
7:00 P.M.**

I. CALL TO ORDER

Mayor Hovland called the meeting to order at 7:03 p.m.

II. ROLL CALL

Answering rollcall were Members Brindle, Staunton, Stewart, and Mayor Hovland. Absent at rollcall was Member Swenson.

III. MEETING AGENDA APPROVED

Member Brindle made a motion, seconded by Member Stewart, approving the meeting agenda.

Ayes: Brindle, Staunton, Stewart, Hovland
Motion carried.

IV. CONSENT AGENDA ADOPTED

Member Brindle made a motion, seconded by Member Stewart, approving the consent agenda as follows:

IV.A. Approve regular and work session meeting minutes of September 1, 2015

IV.B. Receive payment of the following claims as shown in detail on the Check Register dated September 3, 2015, and consisting of 30 pages; General Fund \$169,495.35; Police Special Revenue \$2,300.00; Pedestrian and Cyclist Safety Fund \$183,250.43; Working Capital Fund \$975,594.67; Equipment Replacement Fund \$25,100.36; Cando Fund \$33,294.08; Art Center Fund \$2,448.30; Golf Dome Fund \$87.51; Aquatic Center Fund \$391.99; Golf Course Fund \$253,721.77; Ice Arena Fund \$499.61; Sports Dome Fund \$19,966.21; Edinborough Park Fund \$15,442.91; Centennial Lakes Park Fund \$637.93; Liquor Fund \$177,358.49; Utility Fund \$638,366.56; Storm Sewer Fund \$901,350.41; PSTF Agency Fund \$1,546.54; Centennial TIF District \$138,163.27; TOTAL \$3,539,016.39 and for receipt of payment of claims dated September 10, 2015, and consisting of 32 pages; General Fund \$150,264.00; Police Special Revenue \$134.10; Pedestrian and Cyclist Safety Fund \$85,370.10; Arts and Culture Fund \$162.95; Working Capital Fund \$324,567.01; PIR Construction Fund \$11,381.30; Equipment Replacement Fund \$747.48; Art Center Fund \$2,713.00; Golf Dome Fund \$1,617.42; Aquatic Center Fund \$11,134.71; Golf Course Fund \$12,338.03; Ice Arena Fund \$51,314.94; Sports Dome Fund \$1,099.94; Edinborough Park Fund \$826.27; Centennial Lakes Park Fund \$5,469.52; Liquor Fund \$287,924.59; Utility Fund \$619,676.39; Storm Sewer Fund \$77,204.78; Recycling Fund \$36,187.38; PSTF Agency Fund \$4,786.59; Centennial TIF District \$12,136.82; Valley View/Wooddale TIF District \$745.95; TOTAL \$1,697,803.27

IV.C. Receive Traffic Safety Committee Report of August 5, 2015

IV.D. Request for Purchase, Southdale Area Traffic Model and Transportation Study, awarding the bid to the recommended bidder, WSB & Associates Inc. at \$63,577.00

IV.E. Request for Purchase, Authorize Non-Invasive Watermain Pipe Condition Assessment Services, awarding the bid to the recommended bidder, Short Elliot Hendrickson Inc. at \$79,371.00

IV.F. Adopt Resolution No. 2015-87, Supporting a Fund Application of the City of Bloomington to the Westbound On-ramp to I-494 at East Bush Lake Road

IV.G. Request for Purchase, Emergency Watermain Lining in Parts of Morningside Neighborhood, awarding the bid to the recommended bidder, FER-PAL Construction USA LLC at \$947,157.20

IV.H. Adopt Ordinance No. 2015-17, Adopting the Xcel Energy Franchise Extension through January 15, 2016

Rollcall:

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

V.A. CONSTITUTION WEEK PROCLAMATION, DAUGHTERS OF THE REPUBLIC, SARAH PATZLOFF – PROCLAIMED

Mayor Hovland read the Constitution Week Proclamation. **Member Stewart made a motion, seconded by Member Brindle, proclaiming the week of September 17 through 23 as Constitution Week and urge all citizens to study the Constitution, reflect on the privilege of being an American with all the rights and responsibilities that privilege involves and reaffirm the ideals the Framers of the Constitution had in 1787.**

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

Sarah Patzloff, Daughters of the Republic, accepted the Proclamation and thanked the Council.

V.B. AUGUST SPEAK UP EDINA REPORT PRESENTED – TOPIC: INTERACTIONS WITH ELECTED CITY OFFICIALS

Communications Coordinator Gilgenbach presented a summary of August opinions, both pros and cons, collected through Speak Up, Edina relating to interactions with elected City officials.

The Council answered a question from Mr. Gilgenbach relating to future plans and suggestions for Speak Up Edina and thanked him for his continued work.

VI. COMMUNITY COMMENT

No one appeared to comment.

VII. REPORTS / RECOMMENDATIONS

VII.A. ORDINANCE NO. 2015-18 AMENDING CHAPTERS 2, 10, 20, AND 23 OF EDINA CITY CODE – ADOPTED

Community Health Administrator Brown explained that the Health Division was proposing several changes to City Code sections to update terminology and address issue not previously considered by City Code.

The Council asked a question relating to the trend toward saltwater pools. The Council changed the language of Section 2. 10-487 (5) f *Handholds*. to read, "Handholds shall be provided around the entire periphery of the pool. When bull-nosed coping is used it shall be at most two and one-half inches thick for the outer two inches or an equivalent approved handhold." The Council also requested that the terms in Section 3. 20-323 fourth paragraph, match the terms on the previous page. **Member Stewart made a motion to grant First and waive Second Reading adopting Ordinance No. 2015-18, Amending Chapters 2, 10, 20 and 23 of the Edina City Code, as modified above. Member Brindle seconded the motion.**

Rollcall:

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

VII.B. ORDINANCE NO. 2015-19 AMENDING CITY CODE SECTION 2-274 SCHEDULE A SETTING FEES – ADOPTED

Finance Director Roggeman introduced Jessica Cook, Ehlers & Associates, to explain the proposed schedule for fees and charges.

Ms. Cook presented key findings, capital improvement needs, water rates, sanitary sewer rates, proposed Sewer Access Charge and Water Access charge fees, storm sewer rates, utility bill comparisons, and a summary of recommendations.

The Council noted that utilities were a core service and thanked staff and Ehlers & Associates for their work.

Mr. Roggeman stated that in Section 2. Water Service: I. Per 1,000 gallons for areas of City, \$2.69 should read \$2.70 and \$4.21 should read \$4.22. **Member Staunton made a motion to grant First and waive Second Reading adopting Ordinance No. 2015-19, Amending Section 2-724 Schedule A Setting Fees, as modified above. Member Stewart seconded the motion.**

Rollcall:

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

VII.C. ORDINANCE NO. 2015-20 AMENDING CHAPTER 4 CONCERNING ALCOHOLIC BEVERAGES – POSTPONED TO OCTOBER 6, 2015

Manager Neal explained that Edina's liquor ordinance had been modified on several occasions and the current code requirements were confusing to businesses and difficult for staff to interpret, apply, and enforce. Staff was proposing substantial change and requesting a First Reading of Ordinance No. 2015-20.

Economic Development Manager Neuendorf explained that the core principles had not changed and the preference was still for restaurants over bars or nightclubs. The application process, background check process, enforcement, and violation provisions were all working well. The proposed changes had three goals: streamline the language for the sake of clarity and enforceability; allow new establishments that were responsive to the preferences of Edina patrons; and, allow established and new businesses to prosper in the Edina marketplace.

The Council asked questions relating to taprooms/brewpubs, a prohibition on bars, table configurations, patios, license fees, special club licenses, and municipal liquors.

The Council discussed requiring food service for all establishments that serve alcohol, retaining the percentage of floor space that a bar area was allowed to operate in a restaurant, and maintaining the restrictions on where gaming establishments (e.g., Dave & Buster's) were allowed. The Council noted the absence of Member Swenson and agreed to postpone the First Reading. **Member Brindle made a motion, seconded by Member Staunton, postponing consideration of Ordinance No. 2015-20, Amending Chapter 4 of the Edina City Code Concerning Alcoholic Beverages, to October 6, 2015.**

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

VII.D. SKETCH PLAN, WEST 66TH STREET AND YORK AVENUE – REVIEWED

Community Development Director Presentation

Community Development Director Teague explained that the Council was asked to consider a sketch plan proposal to redevelop the 5.6 acre parcel at 6550 Xerxes and 3250 66th Street West. The proponent was proposing to tear down the existing buildings and redevelop the site with a two-phase development. The proponent was requesting a rezoning of the site from Regional Medical to Planned Unit Development. The proposed height and density would meet the standards of the Planned Unit Development.

Proponent Presentation

Minutes/Edina City Council/September 16, 2015

Rich Kauffman, DLC Residential, talked about DLC Residential and introduced Dennis Sutliff, ESG Architects. Mr. Sutliff present a site map and drawings of the proposed two-phase development and discussed traffic, amenities, and green spaces. Mr. Kauffman shared that DLC Residential felt it could do, at most, 3% affordable housing at a cost of \$1.4 million.

The Council asked questions relating to the possibility of onsite retail, location of front stoops, the development of Phase 2, cyclist accommodations, and guest parking.

The Council supported the green spaces and expressed an interest in seeing a stormwater management plan. The Council encouraged unique architecture that would be valued by the community for years to come, aligning the proposal with Southdale principles, and working with neighbors. The Council also expressed appreciation for the transparency concerning affordable housing and agreed that the main intersection was a problem that needed to be addressed by Edina and Hennepin County.

VII.E. AFFORDABLE HOUSING POLICY – POSTPONED TO OCTOBER 6, 2015

Member Staunton made a motion, seconded by Member Stewart, postponing the Affordable Housing Policy to the October 6, 2015 City Council meeting.

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

VII.F. RESOLUTION NO. 2015-88 ADOPTED – ACCEPTING VARIOUS GRANTS AND DONATIONS

Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations.

Member Stewart introduced and moved adoption of Resolution No. 2015-88 accepting various grants and donations. Member Brindle seconded the motion.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

VII.G. ACCEPT SOLAR GARDEN PROPOSAL – PROPOSAL REJECTED

Manager Neal explained that the request for proposal had received one response after the deadline. Staff and legal counsel recommended rejecting the proposal and reoffering the request for proposal. The item would come back before the Council on October 20, 2015. **Member Brindle made a motion, seconded by Member Stewart, rejecting the Solar Garden proposal and reoffering the request for proposal.**

Ayes: Brindle, Staunton, Stewart, Hovland

Motion carried.

VIII. CORRESPONDENCE AND PETITIONS

VIII.A. CORRESPONDENCE

Mayor Hovland acknowledged the Council's receipt of various correspondence.

VIII.B. MINUTES:

- 1. PARK BOARD, AUGUST 11, 2015**
- 2. HERITAGE PRESERVATION BOARD, AUGUST 11, 2015**

Informational; no action required.

IX. AVIATION NOISE UPDATE – Received

X. MAYOR AND COUNCIL COMMENTS – Received

XI. MANAGER'S COMMENTS – Received

XII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 10:33 p.m.

Respectfully submitted,

Minutes approved by Edina City Council, October 6, 2015.

Debra A. Mangen, City Clerk

Video Copy of the September 16, 2015, meeting available.

James B. Hovland, Mayor